

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

RICHARD BURKS,

Plaintiff,

v.

CROWN BEVERAGE PACKAGING,  
LLC,

Defendant.

CASE NO. C17-5304RBL

ORDER

THIS MATTER is before the Court on Cross-Motions for Summary Judgment [Dkts. #48 & #51]. The Court has reviewed the materials filed in support and in opposition of both motions. Regarding the Plaintiff's Motion for Summary Judgment [Dkt. #48], there are material issues of fact that require the Court to **DENY** the motion. With regard to Defendant's Motion for Summary Judgment [Dkt. #51], the Court schedules oral argument for 1:30 p.m. on September 10, 2018. The trial date of September 24, 2018 is vacated. If the Defendant's Motion for

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1 Summary Judgment is denied, the Court will assign a new trial date in consultation with the  
2 parties.

3 **IT IS SO ORDERED.**

4 Dated this 28<sup>th</sup> day of August, 2018.

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7 Ronald B. Leighton  
8 United States District Judge  
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